



EMN Ad-Hoc Query on Economic Migration Policy regarding Low Skilled Workers - Part 1

Requested by Anne SHERIDAN on 21st February 2018

Economic Migration

Responses from Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Slovak Republic, Sweden, United Kingdom, Norway (22 in total)

Disclaimer:

The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.



Background information:

Ireland operates a managed employment permits system (permission granted to third country nationals to work) which maximises the benefits of economic migration while minimising the risk of disrupting Ireland's labour market. The focus of the employment permits regime in recent years has been to ensure that the skills requirements of enterprise in the State can be met through economic migration where necessary. However, as the State approaches full employment, labour as well as skills needs, are beginning to manifest and the State is being pressed to open up the employment permit regime to lower skilled workers, on wage levels at or just above the national minimum wage, in certain sectors such as health care, agriculture and hospitality.

While there is some anecdotal evidence of a tightening labour market in some sectors, the fact remains that there are 238,000 unemployed in Ireland, and a further potential pool of 18 million unemployed in the EU 28. Thus, we need to be prudent in considering whether to open up the labour market to unskilled non-EEA workers; on the one hand we need to ensure that labour shortages in key sectors do not stall economic growth; on the other, we need to ensure the Irish labour market is not disrupted.

Thus, it is timely that a review of the policies underpinning the current employment permits regime be undertaken in order to ensure that it is fully supportive of Ireland's emerging labour market needs, be they skills or labour shortages in certain sectors.

We would be very grateful for information on the following questions by 21 March 2018.

Questions

1. 1. Please briefly outline the current state of your country's labour market under a) unemployment rate; b) growth sectors, particularly those sectors where there is a high labour demand; and c) levels of economic migration.
2. 2. What key factors are used to determine access to your country's labour market by TCNs in low skilled occupations, i.e. at what point is the demand for labour met by economic migration?
3. 3. Is the inward flow of low skilled migrant workers controlled? If yes, can you please explain how the flow is controlled?
4. 4. Are there categories of low skilled migrant workers who are precluded from accessing your country's labour market for reasons other than labour market supply and demand dynamics? If yes, please explain.
5. 5. Please provide any other relevant information.

Responses

	Country	Wider Dissemination	Response
 	Austria	Yes	<p>1. a) Despite the increase of dependent employment, the unemployment rate in Austria has risen since 2012, as the increase of employment was not sufficient to absorb the increasing labour supply. Only in 2017 employment growth was strong enough so that a decrease in unemployment was observed. According to administrative data, that also encompass commuters from abroad, foreigners profited disproportionately (with 60% and more) of the increase of employment. The proportion of foreigners regarding dependent employees raised from 13,4% (2010) to 19,1% (2017). Also in 2017 the yearly average of employment growth is connected with a 68% increase of employment of foreigners. The training structure of the immigrating, economically active population varies significantly. As a reference the structure of registered unemployed by nationality and level of training can be used. It shows, that 80% of registered unemployed Afghan nationals are – at its best – educated on the level of Austrian compulsory school. b) In the time span 2010 to 2017 the branch “Rendition of Other Economically Services” showed the strongest absolute growth in employment with +45.196 employees (of which labour leasing with +19.561), followed by “Civil Service, Defense, Social Insurance” with +38.943, “Production of Goods” with +37.392, “Human Health and Social Work” with +35.062 and “Commerce” with +32.756. The strongest relative increase regarding employment during the mentioned time span was seen in the branches “Information and Communication” (+31%), “Rendition of Other Economically Services” (+26,5%), “Rendition of Freelance Scientific Services” (+18,4%), “Upbringing and Education” (+16,5%) and “Lodging and Gastronomy” (+16,2%). c) Especially interesting are those branches, where there is a significant proportion of foreigners (above the Austrian average of 19% in 2017) in combination with above average employment growth: In 2017 that is the branches “Rendition of Other Economically Services” with a proportion of foreigners of 41,4%, “Transport and Warehousing” with proportion of foreigners of 23% and “Upbringing and Education” with a proportion of foreigners of 21,4%. --- Source: Ministry of the Interior</p> <p>2. Regarding 2. and 3. In principle, the Austrian immigration policy regarding third-country nationals aims at the group of especially highly-qualified, key workers and qualified professionals in specific, legally defined understaffed professions, especially since implementation of the “Red-White-Red”-Card in 2011. This system enables qualified workers from third countries and their dependants to</p>

permanently migrate to Austria. The admission is based on labour market policy criteria (qualification, professional experience, language skills, age) and a scoring system. The minimum remuneration for the group of key workers and graduates from Austrian universities is legally determined in order to prevent wage dumping in qualified employment. Holders of a “Red-White-Red”-Card are allowed to bring their spouse and children to Austria. They are automatically awarded unlimited access to the labour market, also in the low qualified sectors. The flexible, temporary admission of low skilled employees, that is managed by seasonal quotas, works efficiently since years, parallel to the system of the “Red-White-Red”-Card. The Federal Minister of Labour, Social Affairs, Health and Consumer Protection can determine the quota for seasonal employment and harvesters by regulation, if the need for such workers cannot be met by the existing manpower potential. Such regulations are enacted for the branches “Tourism” and “Agriculture and Forestry” on a regular basis. Seasonal workers are neither granted a right of permanent residence nor permanent access to the labour market. With this policy a seasonal triggered, additional need for workers in the low skilled sector can be covered, that can neither be met by national nor EU-wide labour potential. --- Source: Ministry of the Interior

3. See response to question 2.

4. Persons, who have filed an application for international protection in Austria, are subject to certain restrictions regarding access to the labour market during the ongoing asylum procedures. For dependent employed asylum seekers facilitated admissions are provided by seasonal quotas for the branches “Tourism” and “Agriculture and Forestry”. Additionally, juvenile asylum seekers up to the age of 25 have the possibility, to start vocational training in professions with regionally documented apprentice shortages and in all understaffed professions in Austria according to the yearly Regulation for Skilled Workers. Furthermore, community service according to Basic Welfare Support Act for Federation, province and municipality are not regulated by the Act Governing the Employment of Foreigners and are not considered employment. Asylum seekers are remunerated a recognition fee for such activities (additionally to basic welfare support). --- Source: Ministry of the Interior

5. Austria, having fully exhausted the transitional periods regarding the Members States joining the EU in 2004 and 2007 (7 years), was and still is confronted with a high influx from those Member States after opening the labour market, especially because of its geopolitical position. Due to the free

			<p>movement of workers, this EU-internal migration is not controllable and is not limited to qualified activities. Austria still applies transitional periods for Croatian nationals. The measures provided in the new government programme are aiming at the recruitment of highly qualified workers. Despite the good labour market trends of the last months (increase in open positions, employment growth), the need for low skilled workers can still be covered with the existing manpower potential. --- Source: Ministry of the Interior</p>
	Belgium	No	
	Croatia	Yes	<p>1. a) In January 2018, the number of unemployed persons amounted to 195 400. The registered unemployment reached 12.7% in January 2018, which is by 2.7 percentage points less than in January 2017. b) In 2017, the period of strong economic growth continued. The mid-year growth of the gross domestic product (GDP) was between 3.2%-3.6% in the first three quarters of 2017, taking into account seasonal and calendar adjustments. In terms of individual GDP components, the growth of real exports of goods was particularly significant. The mid-year growth of real exports of goods in the first quarter was 16.2%, in second 5.6% and in third 8.9%. The growth of household spending and the increase of gross fixed capital investments significantly contributed to the economic growth, together with positive trends in government spending. All GDP components contributed to a real increase in GDP. Sectors with highest labour demand were Tourism & Catering, Construction and Transport; c) A quota totalling 29 thousand work permits for TCNs has been approved for 2018, 2.5 times more foreign workers than they were employed 2017. Of this, for new employment 17.810, while the quota for the extension of already issued work permits is nine thousand, and for the seasonal employment of 1940 licenses. The largest increase in employment of foreign workers have been visible in the construction industry, which have introduced 4133 workers in 2017. This year, construction companies will be able to employ 12,170 foreigners.</p> <p>2. As a general rule, work permits are being issued on the basis of an annual quota (there are exceptions, mostly related to highly skilled workers, scientists and key personnel). The decision on the annual quota of permits is adopted by the Government of the Republic of Croatia and published in the Croatian Official Gazette. After several years during which overall number of work permits for new employment was very low (from around 200 a year in 20013, 2014 and 2015), in 2016 there was</p>

			<p>nearly 2.000 work permits for new employment issued, following around 6.000 in 2017 and a new quota for 2018 has been set up to 21.200 work permits for new employment (30.000 total, with extension of previously issued work permits). These numbers resulted from employers' organisations pressure towards the Government, due to shortage of workers cross sectors. Although there is a free movement of workers between Croatia and most of the EU/EEA/CH, employers are more interested in TCN, due to inability to compete for EU workers with most of other EU/EEA/CH employers in terms of salaries and conditions offered.</p> <p>3. The flow of workers is controlled, since The Decision on the Annual Quota of Permits defines not only numbers of work permits by sector, but by profession.</p> <p>4. There are no such categories specified.</p> <p>5. N/A</p>
	Czech Republic	Yes	<p>1. a) unemployment rate 2,3 % (December 2017 – Eurostat) b) growth sectors, particularly those sectors where there is a high labour demand Automobile manufacturing; building industries c)) levels of economic migration 15 000 labour migrants in 2017 (long-term employment)</p> <p>2. Labour market test is the decisive factor. Inflow of low skilled workers changes according to the economic growth/recession but it never stops. Due to its structure, the Czech economy generates strong demand for low skilled labour migrants (industrial production constitutes 47 % of economy).</p> <p>3. Yes. The quota-based schemes of preferential treatment are implemented in some third countries where demand for labour migration to the Czech Republic is very strong and the local Czech embassies (or an external service provider) are not able to satisfy all potential applicants. Such schemes guarantee to its participants the access to the embassy or the service provider. The most important country of origin is Ukraine. The Czech Government therefore launched several migration projects for highly skilled, medium and low skilled and even unskilled Ukrainian workers. E.g. the System of Special Treatment for Skilled Employees from Ukraine with focus on medium-level and low-level skilled employees has a quota of 19 600 applicants in 2018. Czech employers willing to employ a Ukrainian citizen and benefit from preferential treatment must pass a selection procedure in</p>

			<p>which his reliability and responsibility is assessed. Criteria include employer's history of business and employment (at least 2 years, at least 10 employees, no misdemeanours relating undeclared work or serious breach of the Labour Code) and settled obligations toward the state (taxes, health and social insurance contributions). Assessment is conducted by the Chamber of Commerce and other associations of employers under the supervision of ministries. The similar schemes will soon be launched for Mongolia and the Philippines.</p> <p>4. No</p> <p>5. The Czech Republic is going to introduce a general annually re-evaluated quota for economic migration broken down by third countries.</p>
	Estonia	Yes	<p>1. a) The unemployment rate in 2017 was 5,8%. b) According to Statistics Estonia, in 2017, the gross domestic product (GDP) of Estonia increased 4.9% compared to 2016. Main contributors to the broad-based growth were construction, information and communication, and professional, scientific and technical activities. The contribution of manufacturing grew gradually throughout the year and also agriculture, which had been hindering the economic growth since the 2nd quarter of 2016, began to grow in the second half of 2017. c) 10,470 persons immigrated to Estonia and 5,440 persons emigrated from Estonia in 2017. The number of temporary residence permits issued for work increased by 26%, to 2,273 residence permits. The number of registered short-term employees in 2017 was 7584.</p> <p>2. Estonia does not distinguish low-skilled and highly skilled workers. Exemptions are made for specific categories (e.g seasonal workers). General requirement is that an employer is obliged to pay an alien whose short-term employment in Estonia has been registered a remuneration in the amount equal to at least the annual average gross monthly salary last published by Statistics Estonia.</p> <p>3. No.</p> <p>4. No.</p>

			5. N/A.
+	Finland	Yes	<p>1. a) 8,8% (January 2018) b) i.e. tourism, health technology, ICT, green technology c) 6 751 residence permits for work (different categories) were granted in 2017, an increase of almost 1 000 residence permits compared to 2016.</p> <p>2. Aliens' Act (301/2004) Section 70 Purpose of the system of residence permits for employed persons The purpose of the system of residence permits for employed persons is to support the availability of labour in a systematic, prompt and flexible manner, with consideration for the legal protection of employers and foreign employees and the employment opportunities for labour already in the labour market. The availability of job opportunities vs. candidates, that apply for the jobs are monitored by the Ministry for Economic Affairs and the Employment. They maintain a service called Ammattibarometri (Employment outlook by occupation) website: https://www.ammattibarometri.fi/?kieli=en See also response to Q.3.</p> <p>3. Yes, the control is realized in the residence permit issuing level. Regarding TCN lower skilled workers (residence permit for work requiring a partial decision), Finland applies a labour market needs assessment. Granting a residence permit for this category is a two-stage process where both the Finnish Immigration Service and the Employment and Economic Development Office are in-volved. The Employment and Economic Development Office performs the labour market needs assessment (assessment if there is an over-supply vs. shortage of suitable candidates for that particular vacancy) and issues a partial decision either positive or negative after which the Finnish Immigration Service makes the final decision for granting a residence permit or rejecting the application.</p> <p>4. No.</p> <p>5. Seasonal workers are largely excluded from the labour market needs assessment. If the seasonal work in the tourism or agriculture sector last less than 6 months, the TCN is allowed to work without labour market needs assessment. The natural product pickers in the forests are allowed to work a maximum of 3 months without labour market needs assessment.</p>

	France	Yes	<p>1. a) Unemployment rate : 8.9%, fourth quarter 2017 (INSEE, French statistics institute). b) Growth sectors: market and administrative services, scientific and technic activities, hosting, catering. (Labour Ministry) c) First residence permits for economic reasons: 27 690 in 2017, out of 262 000, being 10,5%.(estimated data). Also, 91 070 migrants admitted in 2017 for family reasons have a direct access to work.</p> <p>2. In order to work in France, a third-country national must apply in advance for a work permit and/or residence permit. This is granted if various criteria are met, in particular identical conditions of employment and remuneration between French and foreign employees for salaried work, the feasibility of an economic project, etc. Applications for a work permit for salaried work are subject to examination of various criteria set out in the Labour Code, in particular: - employment situation; - the professional qualifications of the applicant match the job being offered (qualifications, career experience, etc.); - employment and remuneration conditions must be the same as that for other workers in the same occupational group; - the gross monthly salary must be at least equivalent to the minimum monthly wage (Salaire Minimum Interprofessionnel de Croissance - SMIC); – the employer complies with labour and social protection legislation.</p> <p>3. See Q°2.</p> <p>4. No categories of low skilled migrant workers are precluded from accessing France’s labour market for reasons other than labour market supply and demand dynamics, apart from public order or security reasons.</p> <p>5. N/A.</p>
	Germany	Yes	<p>1. The German labour market has seen continuous improvement in recent years, and is extremely healthy at present, including in a European and international comparison. Germany currently has the third-lowest unemployment rate in the EU: 3.6 % of the 15-to-74 year-old employable population were out of work in January 2018. The unemployment rate was lower still only in the Czech Republic, at 2.4 %, and in Malta, at 3.5 %. The EU-wide unemployment rate was 7.3 % in January 2018. 32.2 million people were in employment with compulsory social insurance in June 2017, this being 722,000 more than in comparison to the previous year, about 1.4 million more than in 2015, and as</p>

			<p>many as almost 2 million more than in 2014. Employment rose particularly strongly in the following branches: • Manufacturing (year-on-year change: 2017: +72,000, 2016: +59,000, 2015: +53,000) • Construction (2017: +50,000, 2016: +37,000, 2015: +15,000) • Wholesale and retail trade; repair of motor vehicles and motorcycles (2017: +62,000, 2016: +65,000, 2015: +72,000) • Transportation and storage (2017: +55,000, 2016: +50,000, 2015: +55,000) • Administrative and support service activities (2017: +84,000, 2016: +103,000, 2015: +105,000) The Institute for Employment Research (IAB) publishes the quantitative supply of jobs on a quarterly basis as the result of a representative company survey. According to the survey, there were roughly 1,183,000 vacant posts on the German labour market nationwide in the fourth quarter of 2017. This meant that the number was approximately 128,000 higher than in the fourth quarter of 2016, when there were 1,055,000 vacant posts. The number of vacant posts increased by 85,000 vis-à-vis the third quarter of 2017. The vacant posts were broken down by branch as follows: Agriculture, forestry and fishing 9,000 Mining and quarrying 9,000 Manufacturing 161,000 Construction 98,000 Wholesale and retail trade; repair of motor vehicles and motorcycles 122,000 Transportation and storage 78,000 Information and communication 45,000 Financial and insurance activities 14,000 Services provided to enterprises 345,000 Other services 284,000 Public administration/compulsory social security 20,000 The stable labour market situation in Germany offers good opportunities for trained workers to find employment. The supply of labour is increasing in Germany due to immigration, and this (taken in isolation) can lead to more employment. Having said that, there is a need to distinguish on the labour market, when it comes to migration, between labour migration and forced migration, given the different requirements for gaining access to the German labour market that apply. Employment from the new Eastern European EU Member States, the “GIPS countries” (Greece, Italy, Portugal and Spain), and the other migration countries (the eight non-European countries of origin of asylum-seekers with the largest numbers of arrivals, the Balkans [Albania, Bosnia-Herzegovina, Kosovo, Macedonia and Serbia]) and third countries in Eastern Europe (Russian Federation and Ukraine) increased by 313,000, or 13 percent, year-on-year as per December 2017. With regard to the individual groups of countries, the following statement is based on the Federal Register of Foreigners, the Business Statistics on Asylum of the Federal Office for Migration and Refugees (BAMF), and the employment statistics of the Federal Employment Agency (BA): • Immigration from the new Eastern European EU Member States has slowed only slightly. There were 387,000 new arrivals in the first three quarters of 2017, up from 384,000 in the previous year. The migration balance (new arrivals minus emigration) fell to 178,000,</p>
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down from 199,000 in the previous year. Employment of individuals with these nationalities increased year-on-year by 149,000, or 13 percent (12/2015 to 12/2016: +150,000 or 14.8%, 12/14 to 12/2015: +190,000 or 23.1%). • A total of 67,000 individuals immigrated from the “GIPS countries” up to September 2017 (70,000 year-on-year). The migration balance fell to 23,000 (30,000 year-on-year). It can be presumed that some of the immigration was caused by the impact of the EU debt crisis. Employment of individuals with these nationalities increased year-on-year by 21,000, or 3.6 percent (12/2015 to 12/2016: +20,000 or 3.6%, 12/14 to 12/2015: +29,000 or 5.6%). • A total of 68,000 individuals came from the Balkans up to September 2017 (57,000 year-on-year). The migration balance rose to 21,000 (-26,000 year-on-year). Employment of individuals with these nationalities increased year-on-year by 39,000 or 13.5 percent (12/2015 to 12/2016: +30,000 or 11.4%, 12/14 to 12/2015: +19,000 or 8.1%). • A total of 21,000 individuals arrived from the third countries in Eastern Europe up to September 2017 (26,000 year-on-year). The migration balance fell to 9,000 (16,000 year-on-year). Employment of individuals with these nationalities increased year-on-year by 9,000, or 6.3 percent (12/2015 to 12/2016: +8,000, or 5.9%, 12/14 to 12/2015: +8,000 or 6.5%). • According to the Business Statistics on Asylum of the Federal Office for Migration and Refugees (BAMF), a total of 198,000 first asylum applications were lodged from the eight non-European countries of origin of asylum-seekers with the largest numbers of arrivals in 2017 (2016: 722,000). The migration balance fell to 85,000, down from 187,000 in the previous year. Employment of individuals with these nationalities increased year-on-year by 95,000, or 53 percent (12/2015 to 12/2016: +57,000 or 46.7%, 12/14 to 12/2015: +23,000 or 22.8%).

2. Access to the German labour market for third-country nationals is governed by professional qualifications and labour market requirements and is regulated by the Residence Act in conjunction with the ordinance on the admission of foreigners for the purpose of taking up employment (BeschV).

3. Germany has broadened the scope allowing the immigration of foreign professionals substantially in recent years. The central regulatory factors governing immigration for the purposes of taking up employment are the EU Blue Card for highly qualified persons and the immigration of skilled workers who have completed a course of vocational training in the occupations on the so-called positive list which are subject to a shortage of labour.

			<p>4. As there are labour shortages in Germany above all in occupations for highly qualified persons and skilled workers and not for temporary or unskilled activities, more restrictive conditions apply to the issuance of residence titles for unqualified employment. Unqualified workers can acquire a residence permit for employment purposes pursuant to Section 18 (3) of the Residence Act where this is provided for by an intergovernmental agreement or is permissible on the basis of a statutory instrument. In addition to provisions for special employment purposes (e.g. au pairs, domestic staff of officials dispatched to Germany), the ordinance on the admission of foreigners for the purpose of taking up employment (BeschV) also includes special provisions governing the employment of certain nationals which enable immigration into the federal territory for any form of employment – i.e. also low-qualified work. This applies to nationals of Andorra, Australia, Israel, Japan, Canada, the Republic of Korea, Monaco, New Zealand, San Marino, USA (BeschV, Section 26 (1) and, in the period from 2016 up to an including 2020, also for nationals of Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia (BeschV, Section 26 (2) . However, the Federal Employment Agency approves employment pursuant to BeschV, Section 26 only when the following conditions are met: • the third-party national has a concrete job offer from an employer • no privileged German national or foreigner enjoying the same legal status (e.g. EU citizen, recognised refugee) is available for the job • the foreign worker is not employed on terms constituting inferior working conditions (incl. pay, working hours) to those applying to comparable German workers In addition, nationals of the Western Balkan countries must not have drawn asylum applicants’ benefits in the 24 months prior to filing their application.</p> <p>5. See previous answer.</p>
	Greece	Yes	<p>1. a) According to the recent statistical findings of Eurostat, the number of persons unemployed in Greece is estimated at 23,6%. The same unemployment rate has been approximately estimated in 2017 according to the recent data of Eurostat (source: http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00203&plugin=1), b) The tourist industry is currently undergoing a major strategic improvement initiative of Greece & c) Number of initial residence permits for dependent work in year 2016: 1585. It is noted that foreigners, who are seasonal workers, as well as temporary workers, enter into Greece and work with</p>

			<p>a national (D) visa without granting a residence permit in accordance with EU or national law respectively.</p> <p>2. According to the relevant Joint Ministerial Decisions which define the maximum number of residence permits for third-country nationals (see below Q 3), including low skilled workers, it is apparent that there is a need of low skilled workers in Greece, in particular workers in agriculture, seasonal workers, fishermen and domestic workers.</p> <p>3. In Greece implies a coherent and flexible invitation system, which is planned in governmental level and enables the competent national authorities to control the flow of new invited employees, including low skilled workers, according to labour market's needs and the economy in general. In this context, every two years a Joint Ministerial Decision is issued (by the Ministers of Interior, of Administrative Reform, of Foreign Affairs, of Economy, Infrastructure, Marine & Tourism, Labour and Social Solidarity) which defines, by region and occupational specialization, the maximum rate of residence permits for citizens of third countries for dependent employment, seasonal work and fish work, while it allows for a maximum increase up to 10% for unforeseen and urgent needs. These Decisions are issued upon an open consultation process as defined by article 11 of the Immigration and Social Integration Code, law 4251/2014 (herein after Code) including, for the first time, social partners such as the Economic and Social Committee. The interest of national economy, its expediency, and the current labour supply by nationals, EU citizens or third country nationals legally residing in Greece, with regard to each specialization and the unemployment rates by sector play an important role in this procedure.</p> <p>4. Not applicable.</p> <p>5. -</p>
	Hungary	Yes	<p>1. The unemployment rate in Hungary is the fourth lowest rate currently in the European Union. The unemployment rate has been 3.8 % in the last three months. According to the Hungarian Central Statistical Office the number of unemployed in 2017 amounted to 190 000 people, nearly half of them were unskilled. About one third of the unemployed, 65 000 people were low skilled, having eight or fewer years of schooling. In February of 2018, 280 000 people were registered as a job seeker by the</p>

			<p>Public Employment Service. In 2017, 180 000 people were participants in public employment. Companies in the industrial sector employing more than 4 persons offer the highest number of vacant positions, which amounted to 22 000 in the third quarter of 2017. Besides that the labour demand reaches 8600 persons in the field of administrative services, and 8000 in the human health sector. The intensity of demand determined in the percentage of employed persons is the following: administrative services 4.8%, health 3.5%, IT 3.3%. Since the turnaround in employment in 2010, the most new jobs has been created in the manufacturing industry, with 210 000 employee. Within this, the fastest growth can be seen in the manufacture of transport equipment – with 167 000 persons, the number of employees has more than doubled (202%). Retail trade and repair of vehicles, catering and information, and communication services were the sectors mostly affected by economic migration last year. More than 40 % of the work permits concentrated in the three sectors mentioned above. However, the quantity is not significant, less than 4000 persons obtained work permit in these sectors.</p> <p>2. In order to protect national labour market a third-country national can be employed if holding a work permit. As an important principle of the authorization procedure, work permit can only be issued for a TCN, if the Public Employment Service can recruit neither a Hungarian, nor an EU-national for the vacancy. This general rule applies for all work demand, including low skilled occupations.</p> <p>3. All inward flow of migrant workers from third countries is controlled through the authorization procedure. After the work permit expires, TCNs need to leave Hungary.</p> <p>4. Generally no one is precluded. The labour supply of Hungary and the EU is the only factor. TCN can be employed only and exclusively in case there is no recruitable Hungarian or EU-national.</p> <p>5. The employment of a TCN in Hungary shall be concluded for a fixed period, so this is not considered to be a part of migration in general.</p>
	Ireland	Yes	<p>1. a) The monthly unemployment rate in Ireland in January 2018 was 6.1%. The rate has been steadily declining for the last two years – in January 2016, it was 9%. b) Central Statistics Office (CSO) figures indicate growth across all sectors in the year between Q3 2016 and Q3 2017: ‘Initial estimates for the third quarter of 2017 indicate that there was an increase of 10.5 per cent in GDP in real terms in Q3 2017 compared with Q3 2016. Information & communication made the most positive</p>

contribution to the Q3 result, rising by 13.1 per cent with Industry excluding construction recording a similar increase of 13.0 per cent. Increases were also recorded in professional services (10.2 per cent), Construction (7.6 per cent), agriculture (5.7 per cent) and arts & entertainment (5.5 per cent). All other sectors exhibited modest increases over the period compared with Q3 2016.’ There was employment growth in all sectors except for agriculture (Nace Rev 2 A) and professional, scientific and technical (Nace Rev 2 M) where falls in overall employment occurred over the year Q3 2016 to Q3 2017. c) The overall number of foreign nationals – EEA and non-EEA nationals, at 94978, was 61% higher than the 2010 figure of 58886. In 2017, 11,361 employment permits were granted to non-EEA nationals, continuing a growth trend from the 2013 low of 3,854 and which reflects the improvement in Ireland’s economy.

2. This is being explored as part of the review. Ireland operates a vacancy-led economic migration system, which is managed using lists of highly skilled and ineligible occupations. Most lower skilled employment are currently included on the ineligible categories of employment list. Twice yearly reviews of the lists, based on research and consultation, ensure that employers can access skills and labour from outside of the EEA where a labour or skills deficit is detected during these reviews. Up until now the focus of the employment permits regime has been on ensuring the skills requirements can be met. However, as Ireland approaches full employment, labour as well as skills needs, are beginning to manifest and we are being pressed to open up the employment permit regime to lower skilled workers, on wage levels at or just above the national minimum wage, in certain sectors such as health care, agriculture and hospitality.

3. A number of criteria apply to the grant of employment permits; as well as the question of eligibility of a given occupation, a labour market needs test, to ensure that a vacancy is notified to Irish and EEA residents, and a minimum remuneration threshold is applied. More generally, a ratio of EEA to non-EEA workers is applied for all employers, so no fewer than 50% of employees in an enterprise should be EEA nationals. In addition, where lower skilled occupations have been removed from the ineligible lists of employment, a maximum number of permits that can be granted in respect of that occupation have been set.

			<p>4. All domestic employment is ineligible for an employment permit in Ireland (except for carers in very specific circumstances). Domestic employment demands general skills which should be available in the EEA/Irish labour force, and is further difficult to police in terms of employment rights.</p> <p>5. .</p>
	Italy	Yes	<p>1. a) In December 2017 the unemployment rate reported by ISTAT (National Institute for Statistics) stands at 10.8%, whilst the youth unemployment rate stands at 32.2 %. b) The Italian conjuncture is characterised by a relatively weak economic growth for the year 2017 (+0.9% of GDP). Labour demand appears to be on the rise in the industry and services (for more details on this, see: http://www.lavoro.gov.it/notizie/Pagine/Tendenze-dell-occupazione-diffusa-la-Nota-trimestrale-congiunta-del-Ministero-del-Lavoro-INAIL-INPS-ISTAT-e-ANPAL-19122017.aspx). c) There are different ways to quantify economic migration, especially for a country like Italy that sees large influxes of undocumented migrants. For the purpose of this ad hoc query, legal quotas as defined by Ministerial Decree should be considered as they reflect the estimated need for foreign workforce as calculated by public authorities. For the year 2016, the legal quota was established at a total of 30,850 residence permits; 13,000 for seasonal workers, 17,850 for non-seasonal workers. For the year 2017, the same total number as the previous year was established, with 17,000 seasonal worker residence permits and 13,850 non-seasonal worker residence permits. The maximum established for the year 2018, the total number was maintained at 30,850 permits; 18,000 for seasonal work, 12,850 for non-seasonal work.</p> <p>2. Each year, the need for foreign labour force is calculated to fill the gaps of the labour market. Such estimation is made on the basis of: i) indications provided by the Ministry of Labour and Social Policies on the state of unemployment rates at national and regional level; ii) data on the effective labour demand in regions and provinces; iii) reports that may be elaborated and submitted to the government by the regions about the number of third country nationals residing in the regional territory and regional forecasts on the sustainability of further foreign workforce in the regional territory.</p> <p>3. Yes. According to article 3 para 4 of the D. Lgs. No. 286/1998 the flows of economic migrants (including low skilled workers) are managed through the so called “Decreto Flussi”. In fact, annually</p>

			<p>one or more decrees of the President of the Council of Ministers determine the quotas of workers for whom the entry and the stay in the national territory is allowed. The quotas specify the nationality and the category of worker to whom they apply. See question 1 and 2 above for more details. 4. Are there categories of low skilled migrant workers who are precluded from accessing your country's labour market for reasons other than labour market supply and demand dynamics? If yes, please explain.</p> <p>4. In determining the quotas of the Decreto Flussi, the legislator can set limits on the number of workers who are citizens of States which are not adequately cooperating in the fight against illegal immigration or in the readmission of their citizens subjects of repatriation orders.</p> <p>5. n/A</p>
	Latvia	Yes	<p>1. Main economic challenges in Latvia are related to the situation in labour market – number of labour force is decreasing, which makes a pressure on wages and affects business competitiveness in external markets. The only way how to secure growth in the situation when labour force is decreasing is to increase economic productivity. Participation rate and employment rate so far have reached the highest levels. Participation rate in 2017 was 68,9%, and employment rate was 62,9%, which considerably exceeds the pre-crisis levels. Along with the increase of labour force demand and decrease of supply, unemployment rate is also considerably decreasing. a) In Q4 2017, the unemployment rate fell to 8,1 %, which is 1.2 percentage points lower than a year ago (9,3% in Q4 2016). In 2017, the registered unemployment rate reached its lowest point in recent decades and was 6.8 %. b) The data compiled by the Central Statistical Bureau (hereinafter - CSB) show that in 2017, as compared to 2016, the economic growth continued and GDP increased by 4.5 %. GDP growth in 2017 was the largest during the last six years. In 2017, compared to 2016, the CSB figures indicate growth across all sectors except financial and insurance activities. The largest increases were in Construction (19,4%), Arts & entertainment & recreation (8,4%), Manufacturing (8%) and Transport & storages (7,3%) in 2017, compared to 2016. Considerable increase was observed also in ICT. Public services increased by 4.7%. In 2017, compared with 2016, employment has increased in nine sectors. The largest employment growth was in wholesale and retail trade& repair of motor vehicles and motorcycles (Nace Rev 2 G), professional, scientific & technical activities (Nace Rev 2 M) and information & communication (Nace Rev 2 J) sectors. Rapid economic growth will continue also in</p>

2018. According to the estimates of the Ministry of Economics, GDP could reach 4.2% in 2018. Most rapid increase is expected in manufacturing and construction. Slower growth was observed in trade (by 5.1%) and other commercial services (by 1.7%). Value added in agriculture and forestry increased by 1.9 percent. c) According to data of the Office of Citizenship and Migration Affairs (hereinafter – OCMA), the total number of third-country nationals granted employment rights increased from 3,982 in 2011 to 6007 in 2016. In 2016, most of foreigners granted employment rights worked in land transportation and pipeline transportation sector (2765), software programming and consulting sector (528), production of other means of transport sector (310), repair and installation of machinery and equipment sector (265) and catering services sector (230).

2. The national regulation provides for a monthly income threshold, in case if a foreigner is granted a residence permit and employment rights, in the amount of an average gross salary in Latvia in the previous year (according to the CSB, such salary was 926 euro in 2017). In case, if a foreigner is granted a visa and employment rights as a seasonal worker in the field of agriculture, forestry or fish farming, the income threshold is amounted to an average gross salary in the relevant employment field (at second level, according to the Regulation (EC) No 1893/2006 of the European Parliament and the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains).

3. The third-country nationals in low-skilled occupations may be granted employment rights upon an employer's request. According to national regulation, if an employer is intending to employ a third-country national by entering into an employment contract, it should register a vacancy at the State Employment Agency (hereinafter – the SEA). It should be vacant for not less than a month after registration until the day when the employer turns to the OCMA in order to confirm an invitation for requesting a visa or a sponsorship for requesting a residence permit for a foreigner. Latvian nationals and citizens of the EU can apply for a vacancy at the SEA until it is available. If the profession is regulated, then concrete TCN must show all the necessary documents for recognition of qualification. TCN must have experience in profession or sector, in which he will be employed. TCN can work only for employer who has invited him and in case of termination of employment, residence permit is

			<p>annulled and this person must leave the country. Residence permit must be registered every year and OCMA checks, whether this person still works at the certain place for certain employer.</p> <p>4. There are no categories of low skilled migrant workers who would be precluded from accessing labour market of Latvia. However, there are some conditions that prevent (or make economically ineffective) hiring of low-skilled workers. One of them is a condition that foreigner shall not be paid under the level of average salary in the country. Foreign worker shall prove his/her education or professional experience in the respective area as well and sometimes it is not possible in case of low-skilled labour force.</p> <p>5. N/A</p>
	Lithuania	Yes	<p>1. a) According to Lithuanian Labour Exchange reviews (last updated on 1 March 2018), current number of registered unemployed people has fluctuated around 160,900 (75,300 women and 85,600 men) and now constitutes 9.1% of citizens that qualify as the working age population. 41.7% of persons that registered being unemployed in February, 2018, specified to be looking for qualified work positions and 22.4% sought to be employed as specialists and technicians, whereas about one third of registered were ready to take up non-qualified jobs. b) According to labour market review, in February alone employers registered 21,700 job vacancies, vast majority of which (96%) were for open-ended contracts. Sectors that have been of particularly high labour demand were industry (welders, metal ship body mounters, sewers), services (specifically, drivers for international cargo transportation) and construction (concrete layers, electricians, metal body mounters, premise heating experts, bricklayers, tilers, thatchers, plasterers, decorators). In February, 2018, the latter was recorded to encounter largest growing labour demand. c) Lithuania continues to encounter negative net migration. According to Lithuanian Department of Statistics, in 2017 there were 57,200 persons that emigrated from and 29,300 persons that immigrated to Lithuania. If compared to 2016, that constitutes a 13.7% increase in emigration and a 45.5% increase in immigration levels. It is estimated that in 2017 some 40,000 foreigners participated in Lithuanian labour market activities. Most foreigners arrived to Lithuania in order to work in service (52%), construction (37%) and industry (9%) sectors. Origin-wise, foreigners were employed from 53 different countries, mostly Ukraine (61%) and Belarus (22%).</p>

			<p>2. N/A. Lithuania does not use the concept of low-skilled occupations.</p> <p>3. N/A. Lithuania does not use the concept of low-skilled occupations. However, Republic of Lithuania Law on the Legal Status of Aliens does separate a category of employment requiring high professional qualifications (qualifications attested by evidence of a higher-education diploma or, where it is provided for in legal acts of the Republic of Lithuania, attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the employment contract or written undertaking).</p> <p>4. N/A (see question 3)</p> <p>5. N/A (see question 3)</p>
	Luxembourg	Yes	<p>1. a) Unemployment: The unemployment rate in Luxembourg is of 5.8% in December 2017 of the workforce seasonally adjusted (Source: ADEM and STATEC, February 2018). b) Growth sectors: The Luxembourgish economy is based mainly on the tertiary sector (financial services and services in general) with high added value so it is not focused on low-added value activities. According to the OECD the economic sectors in 2016 weight as follows: 1) Finance and insurance: 27,3% 2) Public administration, defense, education, health, social work: 12,2% 3) Trade, repairs, transport, accommodation, food services: 15,5% 4) Professional, scientific, support services: 12,2% 5) Real Estate: 7,5% 6) Industry (including energy): 7,2% 7) Information and communication: 6,9% 8) Construction: 5,7% 9) Other services (ISIC Rev.4 R - U): 1,8% 10) Agriculture, forestry and fishing: 0,3% According to the mid-term projections established (2018-2022) by Statec the Luxembourgish economy can have a growth of 4,5% during 2018 and it will stabilize at 3% in 2022 (this projection is justified to the increase in the interest rates which are going to increase in the next months and years). This economic expansion will benefit all sectors of the economy and there is a projection for a reduction of unemployment to 5% (See Statec, Economie et Statistiques, Working papers du STATEC, No. 96, février 2018, pp. 1-2). It is foreseen that during this period the export of financial services will be the growth engine of the economy (p. 10). Some relevant data: The minimum social salary is of 1998,59 EUR per month. The Gross Domestic Product is of 59,95 billion USD (World Bank 2016) which establishes the GDP per capita at 102.831,32 USD (World Bank, 2016) [102.019 USD according to OECD, 2016] The GDP growth rate is of 4,2% (World Bank, 2016) [3,1%</p>

			<p>according to OECD 2016] and the government debt is 20,8% of the GDP (Eurostat, 2016) The main indicators (December 2017) that have to be taking into account are: 1) Consumer price index (NCPI): 1,4 2) Core inflation: 1,2% 3) Index for fuel products: 4,2% c) Level of economic migration The national workforce amounts to 406.102 individuals (3rd trimester 2017 - [Statec, 2018]) Residents: 222.044 (54,7%) Luxembourgish nationals: 108.792 (49%) EU citizens: 98.206 (44,2%) TCN: 15.046 (6,8%) Cross-border workers: 184.058 (45,3%) Belgium: 44.547 (24,2%) Germany: 44.619 (24,2%) France: 94.891 (51,6%) The TCN represent only 3,7% of the total workforce.</p> <p>2. In Luxembourg the labour market is employer-driven so there are no key factors used to determine the access of TCN in low skilled occupations. As it was mentioned before, the TCN in the national workforce represents less than 4% It will depend on the economic need of employers to determine if they need low skilled workers and if they cannot find them in the residence population or in the Greater Region.</p> <p>3. Yes. In order to engage a low-skilled salaried worker the employer has to declare vacant the position before the Administration for the Development of Employment (ADEM). Then the third-country national must pass the labour market test (article L. 622-4 (4) of the Labour Code). This means that if there is no a resident individual or EU citizen who can fulfil the position in a deadline of three weeks then the employer may ask ADEM to issue a certified statement certifying the right for the employer to engage a TCN.</p> <p>4. No.</p> <p>5. N/A.</p>
	Malta	Yes	<p>1. Malta's unemployment rate (20-64years) in 2016 stood at 4.3% compared to 8.4% for the EU28. Data from Eurostat for 2017Q4 shows that Malta's unemployment rate declined to 3.2%. Throughout the years the highest observed increase between December 2013 and September 2017 (latest published data) for full-time employment was in the administrative and support service activities (NACE N) with 8,008. This is followed by professional, scientific and technical activities (NACE M) with 4,381 and the arts, entertainment and recreation (NACE R) with 4,050. For those employed on a part-time basis as their primary job the highest increase between December 2013 and September 2017 was</p>

observed in the wholesale and retail trade; repair of motor vehicles and motorcycles (NACE G) with 793. This is followed by professional, scientific and technical activities (NACE M) with 675 and the arts, entertainment and recreation (NACE R) with 528. Table 1.1 below shows the number of foreigners employed between end of December 2013 and end of September 2017. The number of TCNs employed between December 2013 and September 2017 increased by 50.4% from 6,208 to 12,313. Table 1.2 indicates the top twenty active occupations filled by TCNs as at 11th March 2018. Table 1.1 as at end Dec 13 Dec 14 Dec 15 Dec 16 Sep 17 EU Nationals 12,047 15,908 20,344 25,346 29,250 EEA/EFTA 164 187 237 293 357 EU Dependants 121 136 226 376 498 TCNs 6,208 7,177 8,338 9,648 12,313 Total 18,540 23,408 29,145 35,663 42,418 Table 1.2: Top 20 Occupations filled by TCNs as at 11/03/18: CLEANERS AND HELPERS IN OFFICES, HOTELS AND OTHER ESTABLISHMENTS CARE WORKER, PERSONAL (INSTITUTION-BASED) WAITER CARE WORKER, PERSONAL (HOME-BASED) LABOURER, BUILDING CONSTRUCTION CONCRETE PLACERS, CASTERS, FINISHERS AND RELATED WORKERS CHEF HEALTH CARE ASSISTANT LABOURER (INCL. FACTORY HAND, UNSKILLED LABOURER) NURSING PROFESSIONAL (NURSE STATE REGISTERED – SRN) MANAGING DIRECTORS AND CHIEF EXECUTIVES CLERK, CONTACT CENTRE INFORMATION (CUSTOMER CARE) STEEL WORKER ASSEMBLER, ELECTRICAL AND ELECTRONIC EQUIPMENT KITCHEN HAND PROGRAMMERS AND DEVELOPERS, SOFTWARE NANNY ELECTRICIAN, BUILDING AND RELATED MANAGER, BUSINESS SERVICES AND ADMINISTRATION NOT ELSEWHERE CLASSIFIED (PRIVATE SECTOR) AUDITOR

2. To access Malta's labour market by TCNs, applications are considered from a labour market perspective. Labour market tests are also conducted for low skilled occupations. Such tests take into account the following: 1) The situation of the Maltese labour market - A search on the unemployment register is carried out and the prospective employer of TCN workers is requested to fulfil the vacancy requirement (advertise with Jobsplus and advertise privately through a recruitment agency). This check is done to ensure that efforts were made to fill the vacant posts primarily with Maltese / EEA / Swiss nationals and/or Third Country Nationals who have an inherent right to work in Malta; 2) The suitability of the applicant - In case of low skilled jobs, a declaration from the employer confirming suitability would suffice. The low skilled jobs in question are the following: Cleaners; Room Attendants; Machine Operators; Waiters; Nannies; Housekeepers; Labourers; and Plasterers; 3) The reputation of the employer - Jobsplus (Malta's Public Employment Services) reviews redundancy

			<p>patterns, staff turnover and requests evidence of work contracts (amongst other information) in case of new business ventures. Further information on the labour market test carried out may be obtained from the Employment Licences Unit Guidelines from the following link: https://jobsplus.gov.mt/employers-mt-MT-en-GB/employing-persons/fileprovider.aspx?fileId=2879</p> <p>3. Yes, Malta controls the flow of migrants through labour market tests and the checks conducted prior to the acceptance of an application.</p> <p>4. No, there are no categories of low skilled migrant workers who are precluded from accessing Malta's country's labour market.</p> <p>5. N/A</p>
	Netherlands	Yes	<p>1. a) the unemployment rate in the Netherlands is currently 4,4% based on the ILO method (November 2017, CBS Statistics Netherlands). b) the biggest growth sectors in 2016 were: 1. Temping (+9.3%) 2. Travel (+8.8%) 3. Construction (+7.7%) 4. Hotel & restaurant (+5.2%) 5. Manufacturing (+3%) 6. Trade (+2.8%) Sources: - CBS: (https://longreads.cbs.nl/trends17/economie/trends/ & https://longreads.cbs.nl/trends17/economie/cijfers/bedrijven/) - UWV : (https://www.werk.nl/xpsimage/wdo218625 & https://www.uwv.nl/overuwv/Images/notitie%20landelijke%20lijst%20krapteberoepen.pdf) Sectors where there is a high labor demand include: ICT, healthcare, economical-financial sector, industry/construction/technical sector, education, transport and logistics, ecological sector. The industry/construction/technological sector seems to have the highest labor demand in terms of low-skilled jobs. c) 'Residence permit for the purpose of remunerated activities' in NL, 2014-2016 > source: http://ec.europa.eu/eurostat/tgm/refreshTableAction.do?tab=table&plugin=1&pcode=tps00171&language=en - 2016: 54.890 - 2015: 49.542 - 2014: 47.338 Work permit: - 2016: 7.700 - 2015: 7.000</p>

			<p>2. There is no policy on attracting low skilled labor migrants: they have no access to the Dutch labor market (no work permits are issued) because it is expected that low skilled vacancies can be filled by Dutch or European employees.</p> <p>3. See answer to Q2</p> <p>4. N/A</p> <p>5. N/A</p>
	Poland	Yes	<p>1. a) Unemployment rate – 6.9% (January 2018, data from the Central Statistics Office of Poland) b) Sectors with high labour demand – industrial processing, constructions, trade, auto mechanics, transport and storing sector (demand on job market, Poland III quarter 2017 http://stat.gov.pl/obszary-tematyczne/rynek-pracy/popyt-na-prace/popyt-na-prace-w-trzecim-kwartale-2017-roku,2,27.html) c) In 2017 was issued 242 755 work permissions in Poland – 117 031 in first half, 125 724 in the second half of the year (data from Ministry of Family, Labour and Social Policy)</p> <p>2. Employment for everyone depends primarily on the fact, if the occupation is on the regulated professions list. Secondarily job market test has to be conduct - employers can employ foreigner when they prove that job demand cannot be meet without it (attestation from starosta). Voivodes can exclude specific occupations from the obligation to present attestation from starosta (different occupations are excluded from this obligation in different voivodships, depending on the demand). There is also simplified procedure – employer register declaration on the will to employ a foreigner. The registered certificate is handed over to the foreigner and is a basis to apply for the visa in the Consulate. This procedure is often used when employing low-skilled workers.</p> <p>3. By issuing work permits when work demand cannot be meet without foreign workers</p> <p>4. no</p> <p>5. n/a</p>

	Slovak Republic	Yes	<p>1. Unemployment: Slovak republic has experienced a significant improvement of the situation on the labour market in the last three years also due to considerable creation of the jobs. According to the data of Central Office of Social Affairs and Family (COLSAF) the unemployment rate on 31.1.2018 was 5.88%. This is a historically lowest unemployment rate recorded in the Slovak Republic. In YoY* comparison this level represents a decrease by 2.76 percentage points. The current total number of all job seekers on 31.1.2018 represented 197 268 persons, which constitutes a decrease by 76 626 job seekers in YoY comparison. The total number of job seekers (available to start working immediately if presented a suitable job offer) on 31.1.2018 was 163 075, which constitutes a decrease by 72 380 job seekers in YoY comparison. Growing sectors with high labour demand Lack of manpower is and will be notable most of all in relation to positions for high-school graduates where, according to labour market prognosis, it is expected that until 2021 10-15k more high-school graduates will be needed than is currently available at the labour market. This shortage is most visible in engineering sector (tool maker, programmer of CNC machines, various technicians and mechanics, but also machine and equipment operators) where annually 2500-3500 more graduates could be employed than is currently at the labour market. Regarding the positions for university graduates there is a lack of manpower especially in the IT sector (software developers, application programmers, IT architects, database analysts, information system administrators, etc.), where annually 1000-1500 graduates is and will be lacked. The employers compensate this shortage by employing graduates from other sectors, electrical engineering and business informatics who have some background in the field of programming. The level of labour migration A positive development on the labour market related to decreasing unemployment, high rates of employment and number of jobs available has had an impact on more EU/EEA nationals and TCNs working in Slovakia. In comparison, on 31.1.2017 according to COLSAF data, 36 231 foreigners (including EU/EEA citizens) whereas on 31.1.2018 it was 49 519 foreigners (a growth by almost 27%). The highest increase can be seen by TCN workers. For statistical information, see the attached document.</p> <p>2. Employment of TCNs for working in the territory of the SR is governed by the Act on Employment Services. The conditions, including the obligations of the employers are set generally and are applicable for all TCNs. Highly-qualified workers are an exception, as for them a system of Blue cards applies. Specific conditions are set also for seasonal employments. This is done by defining the seasonal employment industries in the notice of the Ministry of Labour, Social Affairs and Family. Depending on the specific nature of the activities done for seasonal employment, there is a</p>
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			<p>presumption that these will be jobs for low qualifications. However, many fields has recently experienced lack of manpower. Based on the Business Cycle Researches in the industries the lack of employees was labelled as a limiting factor of production by the historically highest number of employers. The numbers of vacancies are reaching the historical maximums with the decreasing unemployment. In this context, the government of the SR has adopted several measures including speeding up the system of granting permits to TCNs in selected professions and in those regions, where the unemployment rate is lower than 5 %.</p> <p>3. For the economic migration of TCNs, the SR is using the demand system, where the employer files a request on the Office of Labour, Social Affairs and Family identifying the vacancy and marks the suitability of a foreigner for the vacancy. Subsequently, for this position a labour market test is done (a potential for filling the position by job applicants, tools of the active labour market policy). Besides the employment permits and the system of single-permit for work and residence (in both cases the labour market test is done) there are also categories that do not require the labour market test. In recent times these have especially been intensively misused by different agencies that pretend to be employers and supply other employers with cheap labour (operators, handling technicians, etc.).</p> <p>4. No.</p> <p>5. N/A</p>
	Sweden	Yes	<p>1. a) In February 2018, the unemployment rate in Sweden was 6.3 percent, which is 1.1 percentage points lower than during the same period the year before. b) According to the Swedish Agency for Economic and Regional Growth, there are many sectors which are growing, and where companies state that a shortage of suitable workers represents an obstacle to their growth. The construction sector, the mining and production sector, and the transport and storage sector are those which most frequently state, in surveys, that they are experiencing labour shortages. c) Economic immigration to Sweden has increased. The Swedish Migration Agency granted 25,571 first-time residence permits for employment purposes in 2014, 27,003 in 2015, 24,710 in 2016, and 32,294 in 2017. (These figures do not include EU nationals).</p>

2. The Swedish immigration law does not provide for any factors to determine the access of foreign nationals to the Swedish labour market. Employers are free to recruit third-country nationals from abroad if they feel that they cannot find suitable workers within Sweden or in the EU. The only requirements for employers are that vacancies are advertised in Sweden and the EU before a worker is recruited from a third country, and that the salary and working conditions for immigrant workers are in line with Swedish collective agreements, or with what is customary for the relevant occupation or industry.

3. No. There is no upper limit or cap on labour immigration. As mentioned, however, vacancies have to be advertised, and salaries and working conditions must be in line with collective agreements. A third-country worker needs to fulfil the following conditions to be granted a residence/work permit: - He/she must have a valid passport; - He/she has been offered terms of employment and a salary that are on par with those set by Swedish collective agreements or which are customary within the relevant occupation or industry; - He/she must have been offered a position that will enable him/her to support himself/herself. In order to satisfy this support requirement, he/she needs to work to an extent that will result in a salary of at least SEK 13,000 per month before taxes; - He/she has an employer who intends to provide insurance covering health, life, employment and pension when he/she begins to work.

4. No, access is not limited to certain skills levels or occupations. The Swedish labour immigration system does not differentiate between different skills levels as long as the general conditions for recruiting from third countries, as described above, are fulfilled.

5. Since 2008, Sweden has pursued a liberal and employer-driven approach to immigration of third country nationals for employment purposes. With the 2008 reform, the previous agency-based labour market test was phased out. Since then, the overall point of departure has been that it is the individual employer who best knows the recruitment needs of his or her business. The possibility to recruit foreign workers has been significantly facilitated. Provided that the working conditions are in line with Swedish collective agreements or established practice and that certain additional conditions are met, the employer can in principle recruit anyone, regardless of nationality or profession. The existing rules also provide opportunities for migrants to get a permanent residence status after four years of stay with a work permit in Sweden. In recent years, however, the Swedish system for labour immigration has often been criticised for not sufficiently preventing untrustworthy employers from

			<p>exploiting foreign workers. The Swedish Migration Agency has therefore been applying stricter control measures for work permit applications within certain sectors of the economy (such as the cleaning business, hotels and restaurants, service, construction, staffing, commerce, agriculture and forestry, and the automobile repair sectors) since January 2012. Since 2014, the Migration Agency has had a mandate to conduct follow-up checks and revoke residence permits if the conditions of the work permit (e.g. the requirements concerning the terms of employment) are no longer met or if the employment does not begin within four months after a foreign worker has been issued a residence permit.</p>
	<p>United Kingdom</p>	<p>Yes</p>	<p>1. The UK labour market is performing strongly. For the period from December 2017 to February 2018, the employment rate is 75.4% and the single highest since comparable records began in 1971 and the unemployment rate is the lowest since 1975, at 4.2%. Participation in the labour market is also high, with the inactivity rate being 21.2%. Between March 2014 and December 2017, just under one in three new jobs were filled in the distribution, transport, accommodation and food sectors. In the year ending September 2017 net long-term migration was estimated at 244,000, down 29,000 on the year and at a similar level to early 2014, following the record levels of net migration during the period of year ending March 2015 to year ending June 2016. Long-term immigration to work decreased by 45,000 to 248,000. This decline was driven by a 58,000 decline in the number of EU nationals that have come to the UK to work. The most noticeable changes are seen for EU15 citizens (down 24,000 – the lowest estimate since 2013) and for EU8 citizens (down 18,000 – the lowest estimate for both work-related and looking for work since their accession)</p> <p>2. See question 3 below</p> <p>3. • The UK doesn't operate any immigration routes specifically targeting low-skilled workers from outside the EEA. The UK currently relies on the EU to our meet our low-skilled labour needs. • Separately, we operate a Youth Mobility Scheme (YMS) enabling nationals of partner countries (Australia, New Zealand, Canada, Hong Kong, Japan, Monaco, South Korea and Taiwan), aged 18-30, to work in the UK for up to two years. YMS participants can take up almost any type of employment, including low-skilled occupations. This route is however designed to facilitate reciprocal international exchange and is not targeted on meeting low-skilled labour needs. • Some international</p>

			<p>students can undertake employment, including low-skilled occupations. Such employment is however incidental to their purpose for being in the UK, and is restricted during term times. Indeed, we have specifically sought to ensure that our study routes cannot be used by those whose primary purpose is to seek employment in the UK. • The dependants of some international students and those of all skilled workers are also permitted to work whilst in the UK, including in low-skilled occupations. Again this is incidental to their purpose for being in the UK and is not designed to meet low-skilled labour needs. • Historically the UK did operate low-skilled labour routes, specifically the Seasonal Agricultural Workers Scheme, which serviced our agricultural sector, and the Sectors Based Scheme (SBS), which primarily serviced the food processing and hospitality sectors. These were quota based, short-term routes, allowing migrants to come the UK for 6 and 12 months respectively. Both routes were phased out following the expansion of the EU. We did however experience mixed results with these arrangements during their lifetime, with some sectors within the SBS in particular proving vulnerable to abuse. This was particularly the case in the hospitality sector with some employers seeking to use the route to bring extended family to the UK, and to keep them here beyond their visa. This led to the routes closure for the hospitality sector, well in advance of A8 accession.</p> <p>4. See question 3 above</p> <p>5. N/A</p>
	Norway	Yes	<p>1. 1. Please briefly outline the current state of your country's labour market under a) unemployment rate; Dec. 2017 4,10% (Labour force survey (LFS) (Statistics Norway – 3 month average Nov- Jan. seasonally adjusted) b) growth sectors, particularly those sectors where there is a high labour demand; Employed persons. Change from the same period previous year (per cent). 2017 Change from the same period previous year (per cent) Fishing and aquaculture 8,9 Administrative and support service activities 5,4 Real estate activities 5,0 Accommodation and food service activities 4,3 Construction 4,1 Professional, scientific and technical activities 3,2 Arts, entertainment and other service activities 3,2 Source: Statistics Norway, National Accounts Overview of the most significant changes in the number of employed based on industry / trade from the last quarter of 2016, until the last quarter of 2017. *see attached spreadsheet for tables. c) levels of economic migration. See attached spreadsheet with 2 tables. 1. Residence permits based on employment for TCN 2017</p>

<https://www.udi.no/statistikk-og-analyse/statistikk/oppholdstillatelser-for-arbeid-etter-statsborgerskap-og-type-tillatelse-2017/> 2. Number of EEA registrations according to intention with stay/ work : <https://www.udi.no/statistikk-og-analyse/statistikk/eos-registreringer-etter-statsborgerskap-og-formal-2017/> “Labour immigration continues to fall In 2016, labour immigration decreased by about 21 per cent from 2015. A total of 14 400 persons from non-Nordic countries immigrated for work in 2015. Labour immigrants from Poland made up the largest group in 2016, with 4 100 persons, a decrease of 1 100 from the previous year.” <https://www.ssb.no/en/innvandring-og-innvandrere/artikler-og-publikasjoner/reduced-labour-immigration>

2. To some extent TCN's access to a Norwegian labour market depends on the employers' assessment of the possibilities for finding qualified and willing workers at the prevailing wages and working conditions in local, national or EEA labour markets. There is an annual ceiling of 5 000 work permits that can be granted to 'skilled' TCNs before a labour market assessment is required. 2 800 such work permits were granted in 2017. This ceiling has never been reached, to a large extent because of the supply of such workers from EEA member countries. TCNs may also be granted permits as 'seasonal workers', mostly by employers in the agriculture, food processing and tourism sectors. Low skilled workers are allowed in a few limited categories, see response to the next question. Within these categories the demand for labor is mainly determined by the labor market test. The assessment of the labor market is made by the regional offices of the Norwegian Labour and Welfare Administration. When assessing the labor market the Labour and Welfare Administration checks if there is available unemployed persons for the type of work concerned in their registers and that the employer has announced the position(s) publicly (at least through the portal of the Labour and Welfare Administration) for at least two weeks without success. The quota for seasonal work in agriculture is set annually by the Directorate of Labour and Welfare. The quota has been set at 2 500 seasonal workers each year since it was established in 2010 (as a result of the New Immigration Act in force from January 2010). The categories in which low skilled workers are allowed are determined politically through changes in the Immigration Regulations. The categories have been the same since 2009.

3. If yes, can you please explain how the flow is controlled? TCN low skilled workers are allowed in a few limited categories: - seasonal workers (up to six months a year) - Russian workers in unskilled professions from the Barents regions in Russia for work in Northern Norway (up to two years) For

			<p>both categories the main requirements are that the applicant has a concrete offer of employment for full time work, and that the pay and working conditions are not inferior to those prescribed by the current collective agreement or pay scale for the industry (sector) concerned. The application is also subject to a labor market test. For seasonal work in agriculture quota applies, only if the quota is filled, there will be a labor market test.</p> <p>4. YES If yes, please explain. An application will be rejected if it is probable that the applicant will not return to his/her home country after the stay in Norway. This means that it will be difficult for applicants from countries with a high emigration potential to get such permits.</p> <p>5. N/A</p>
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